

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SHIRL A. ISHMAEL  
Plaintiff,

:

v.

:

CIVIL ACTION  
NO. 15-3081

SCHOOL DISTRICT OF  
PHILADELPHIA and  
LESLIE MASON  
Defendants.

:

**ORDER**

AND NOW, this 30<sup>th</sup> day of September, 2016, upon consideration of Defendants' Motion to Dismiss (Doc. No. 13), Plaintiff's Response thereto (Doc. No. 14), Defendants' Reply (Doc. No. 18), Plaintiff's Surreply (Doc. No. 21), and Defendants' Letter Response, it is hereby ORDERED as follows:

1. Defendants' Motion is GRANTED as to Counts I and II of Plaintiff's Amended Complaint;
2. Defendants' Motion is DENIED as to Counts III and IV of Plaintiff's Amended Complaint;
3. Defendants' Motion is GRANTED IN PART and DENIED IN PART with regard to Count V of Plaintiff's Amended Complaint; said Motion is GRANTED solely with regard to Plaintiff's demand for compensatory and punitive damages;
4. Defendants' Motion is GRANTED as to Counts VI and VII of Plaintiff's Amended Complaint and said claims are DISMISSED with prejudice; and,
5. In accordance with this Court's accompanying Opinion regarding Counts I and II of Plaintiff's Amended Complaint, Plaintiff shall have thirty (30) days to file a Second (and final) Amended Complaint. In the event

Plaintiff elects not to do so, said Counts shall be deemed dismissed with prejudice.

BY THE COURT:

/s/ C. Darnell Jones, II J.